

FILED
DISTRICT COURT OF GUAM

DEC 14 2005

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

CESS NAVARRO OLMO and
RONNIE PASCUAL FERRERAS,

Plaintiffs,

vs.

A.P. GREEN INDUSTRIES, INC., *et al.*,

Defendants.

Civil Case No. 05-00025

MINUTES

(☒) SCHEDULING CONFERENCE () PRELIMINARY PRETRIAL CONFERENCE
(December 13, 2005 at 11:08 a.m.)

() FINAL PRETRIAL CONFERENCE () STATUS CONFERENCE

Notes: The following counsel appeared on behalf of the following parties:

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|--|--------------------|
| • Plaintiffs | Ignacio C. Aguigui |
| • Defendant Owens-Illinois Inc. | Anita P. Arriola |
| • Defendant Metropolitan Life Insurance Company | Tomas C. Sterling |
| • Defendants Georgia-Pacific Corp., A.W. Chesterton Co., Kaiser Gypsum Co., Inc. | J. Patrick Mason |
| • Defendants John Crane Inc. | Louie J. Yanza |

ORIGINAL

- Defendants Garlock, Inc., Jon A. Visosky
Viacom, Inc. Foster Wheeler
Corp., Bayer CropScience, Inc.,
Dow Chemical Co.

Mr. Visosky advised the Court and the parties that he spoke to a clerk with the Judicial Panel on Multidistrict Litigation regarding the joining of the present action with the asbestos products liability litigation pending before it. Mr. Visosky represented that based on his conversation, he believed that a conditional transfer order would be issued shortly. Mr. Aguigui stated that he opposed a transfer of this action to the MDL panel and suggested that the Court proceed with establishing the dates and deadlines on the scheduling order so that this case can move forward. Mr. Mason expressed his concern that the pending motions to dismiss be heard before discovery proceeds. The Court stated that it would follow up with the district judge as to when the pending motions would be set for hearing.

The Court inquired whether the parties desired the Ninth Circuit to appoint a district judge to this case or whether they were willing to have the various visiting district judges handle different aspects of the litigation. The parties agreed that it would be more efficient to have one judge assigned to the entire case. The Court will pass this request on to the Ninth Circuit's Executive Office.

Although the parties had been unable to agree to the terms of a scheduling order and discovery plan prior to the scheduling conference, counsel agreed to the following dates and deadlines:


- Motions to add parties and claims: shall be filed by December 22, 2006;
- Motions to amend pleadings: shall be filed by December 22, 2006;
- Initial disclosures: shall be made on or before June 19, 2006;
- Disclosure of experts: shall be made by July 17, 2006;
- Rebuttal expert testimony: shall be made by August 17, 2006;
- Pretrial disclosures: shall be made on or before August 24, 2007;
- Discovery cut-off: March 29, 2007;
- Anticipated discovery motions: filed no later than April 16, 2007;

- Anticipated dispositive motions: filed no later than June 15, 2007;
- Preliminary Pretrial Conference: shall be held on September 4, 2007 at 10:00 a.m.;
- Submission of trial documents and pretrial order: no later than September 10, 2007;
- Final pretrial Conference: shall be held on September 17, 2007 at 10:00 a.m.;
- Trial: shall be held on September 24, 2007 at 9:00 a.m.

The above dates will be incorporated into a scheduling order and discovery plan to be prepared by Ms. Arriola and signed by all counsel.

The conference concluded at 11:45 a.m.

Dated: December 14, 2005.



JUDITH P. HATTORI
Law Clerk